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"Ye Army-Rats, from Murray learn to vote:
"First get the cloathing, and then turn the coat."——FITZPATRICK.

SUMMARY OF POLITICS.

MR. COCHRANE JOHNSTONE.——The statement of this gentleman's case has too long been kept from the public; and, especially when we consider, that, during the present session of parliament, measures have been taken, laws have been passed, for increasing the number of officers of the regular army, and for adding to the income attached to those situations, of which it is, at any moment, in the absolute power of the Crown to deprive the possessors, with or without cause assigned. Upon the danger to be apprehended from a power like this, unchecked by any responsibility any where, and exercised over the officers of an army of, at least, 250,000 men, formed into more than 300 separate regiments, or corps, each of which has a Colonel, or other Commander, deriving, from cloathing &c. about 1,200l. a year *profit*, exclusive of his *pay*, and the whole number of Commissioned Officers of which army cannot be less than *ten thousand*, whereunto must be added the double Commissions arising from Staff and other situations inseparable from military rank; an army, in short, that is to cost *twenty millions* of money annually; upon the extreme danger to be apprehended from a power like this, unchecked by any responsibility, exercised over a department which swallows up nearly *one half* of the taxes that are annually raised, I have frequently had occasion to remark, and I have as frequently, besought Mr. Windham not to forget, in his new arrangements, to make provision for some degree of *security* for the officers of the army, pointing out to him, that, if they were left as they now are, liable to be, at any moment, cashiered, with or without cause assigned, every shilling added to their income, every mark of honour upon them bestowed, was so much added to this absolute power of the Crown. It has been, upon such occasions, answered, that to dismiss military officers at his pleasure was *always* the prerogative of the King; but, an argument like this, to be good for any thing, must be made to apply to all cases; and, may we not say, that it was always the prerogative of the King to dismiss the *Judges* at pleasure? It was so, until *a law was*, in the reign of William III. *passed to take the prerogative away*. The same argument might have been urged against this great improvement in the constitution; and, indeed, against every measure involving any change whatever in cases where the power of the Crown is concerned. But, how would this doctrine of immutable right sound, if brought forward on the side of the people? They, the whole of them, *always*, previous to the reign of Henry VI., voted for members of parliament, unless they were mere servants, mere bondsmen. They *always* had annual elections, until a certain time. They *always*, at a later epoch, had triennial elections, until the reign of George II. Of all these privileges they were deprived by *law*; and, shall we be told, that *no law can be passed* to circumscribe the prerogative of the Crown with regard to the officers of the army? Shall we be told that this prerogative must always exist *merely because it has hitherto existed?* No one but a desperate shoe licker will seriously urge such an argument; but, there may be, and, doubtless there are, very honest and independent men, who entertain doubts as to the *expediency* of making any alteration; who ask, *why* any alteration is proposed; why the prerogative may not as safely remain undiminished *now* as it did formerly? The answer is this: the prerogative has *increased* in power beyond what was formerly thought possible; formerly, the army was voted annually in *substance* and not in mere form; formerly, it was not only annually declared that it was unlawful to keep up a standing army in time of peace without consent of parliament, but, in reality, nothing worthy of the name of army was kept up in time of peace; formerly, the militia, which was then the only body to which the defence of the kingdom was committed, was officered exclusively by the counties, and not, in great part by the Crown; formerly, the army was so small as to require, no longer than *twenty years ago*, not more than 3,000 Commissioned Officers, instead of 10,000 Commissioned Officers; formerly, the annual military expenditure, over which this prerogative extended, was, even in the most expensive years of the American War, about 7 millions

CAMBRIDGE 12 DE 1938

a year, instead of 20 millions a year, as it now is; formerly, after the peace with America, the establishment of the regular army was about 36,000 men, instead of about 150,000 as it now must be, and as it actually was during the last peace; formerly, the army was so little numerous as to make it probable that it would, in great part, be officered by men of fortunes comparatively independent, and, of course, not likely to be so much influenced by the prospect of losing their commissions; formerly, no one ever dreamt, that England would become "a *military nation*," and therefore no one formally and openly objected to the King's having the absolute power over the fortunes of all military men; but (and having asked this question we may leave the reader to give what further answer is necessary) if one half of the taxes of the nation be expended upon its army, if the nation be "a military nation," and if the King have the absolute and sole power over the fortunes of all military men, *what* must, in reality, be the *government* of that nation?——From the impression produced in my mind by this view of the subject it was that I was led, always when I spoke of the forming of a large regular army, to propose such *conditions of service* as should connect both officers and men with *the people* by ties so strong that nothing should be able to break; as should, in the words of PALEY, "maintain, upon all occasions, as much alliance of interest, and as much intercourse of sentiment, between the military part of the nation and the other people, as should be consistent with the union and the discipline of an army." The soldiers I would have sent back, in quick succession, and after short service, into civil life, *there* to receive and enjoy their reward, upon which reward I would have fixed their prospective attention all the while they had arms in their hands. For the officers, who all must, in some degree, have *fortune* and *reputation* at stake, I would have provided not only rewards in civil life after service, but a *security* for their fortune and reputation *during good behaviour* in the service, and, for the deciding with respect to that good behaviour I would have provided a competent tribunal, or, at least, an adequate *responsibility* somewhere or other, insomuch that their fate should have depended upon *law*, and not upon mere *will*, which, though exercised by the wisest and the best of men, can never be regarded as leaving to the object whereon it is to be exercised any security at all.——Leaving these general remarks to the reflection of the reader, I shall now proceed to state the case of MR. COCHRANE JOHNSTONE, who, I think it will be believed, would still have been, what he long was, a most valuable officer in the army, had a system such as I would have proposed, been adopted previous to the date of his quitting the army.——This gentleman was, in the year 1801, a Colonel in the army, Colonel of the 8th West India regiment (Blacks), and Governor of the Island of Dominica, where he then was and where his regiment also was. From his early youth MR. JOHNSTONE has been active in the service of his country; he has served in America, in the East Indies, in the West Indies; has always been distinguished for his ability as well as his zeal, and, when a person worthy of great confidence was wanted to carry to His Royal Highness the Duke of York *the dispatches* from Mr. Dundas, in consequence of which His Royal Highness *came home from Flanders*, MR. JOHNSTONE *was the person selected to be the bearer of them*, a service which he performed with a degree of *celerity* and of *resolution* that entitled him to the admiration of the army and the thanks of the public.——It will be recollected, that, in the year 1801, there was a mutiny in the Black regiment at Dominica. In consequence of this and of other occurrences in that Island, MR. JOHNSTONE was called home, and soon after his arrival in England, he preferred charges against JOHN GORDON, the Major of his regiment, and who was in the immediate command of it at the time of the mutiny. MAJOR GORDON was, after more than a year of attendance, on the part of MR. JOHNSTONE, brought to a court-martial and tried in the month of January, 1804; but, he was not tried upon the charges as originally given in to the department of the Duke of York, but, as they were *there modified*, and, let it be well observed, that one of the charges, namely, that the accused had "*absconded* from Dominica, in order to "escape from justice, and had behaved "with insolence and disrespect to his Colo-"nel," was *entirely omitted* in this new-modelling of the charges for the court-martial! The court, however, pronounced Major Gordon's conduct to be irregular, culpably negligent, and highly censurable. No bad consequence followed to *this* man. Nothing was done to him. He remained, and still remains, in full possession of his rank and pay!——During the time between the preferring of charges against MAJOR GORDON and the assembling of the court-martial for his trial, to wit, in the month of October, 1803, there was a brevet promotion of Major Generals, and,

upon examining the list of this promotion, MR. JOHNSTONE was surprized to find those of officers *junior* to himself in it, and *his own name omitted*; whereupon he complained to the Duke of York, stated that he could not believe that he was thus punished without some offence being supposed to be imputable to him, and earnesly requested that an investigation into his conduct might speedily take place. This earnest request, proceeding from the anxious and wounded mind of an officer of high rank earned by long and most arduous services, lay before the DUKE OF YORK unanswered for *nine weeks*, at the end of which time he wrote to MR. JOHNSTONE thus: "it is an invariable "rule of the service, not to include in any "general brevet promotion, an officer "(whatever may be his rank) against whom "there *exist charges*, the merit of which "has not been decided. Whenever an in-"vestigation shall have taken place; and, "should the result prove *favourable to you*, "there will *not be any difficulty in your re-"covering the rank* to which your seniority, "as Colonel, entitles you." This letter, which was dated on the 10th of December, 1803, was not very satisfactory to MR. JOHNSTONE, who naturally was not a little anxious that the investigation should take place as soon as possible; but who was informed, that it could not take place, until the conclusion of Major Gordon's trial, which trial, observe, MR. JOHNSTONE *had in vain been endeavouring to bring on for above a twelvemonth!* But, what surprized MR. JOHNSTONE most, was, the information, now for the *first time* given him, of there being *charges existing* against him; and, it will, I imagine, appear most surprizing indeed to the reader, that an officer should be *punished* (for to be left out of his place in the brevet promotion is most severe and disgraceful punishment) upon the ground of mere *charges*, and of charges, too, of the existence of which he has not been informed, and, moreover, of the *existence* of which the person who has thus punished him does not inform him until nine weeks after he complains of his punishment!——After the receipt of this letter from the Duke of York on the 10th of December, 1803, many and most earnest were the inquiries on the part of MR. JOHNSTONE to know the nature and purport of the charges, to which the Duke of York had alluded, and upon which he, MR. JOHNSTONE, had been, by anticipation, punished; but, no satisfaction, nay, *no answer* whatever, could he obtain, until the 28*th of the ensuing month of May*, having been kept in a state of suspense and of disgrace for nearly *six months*. He now received a letter from Colonel Clinton (one of the select gentlemen about the Duke of York) informing him, by "the *command*" (for that is the phrase) of His Royal Highness, that MAJOR GORDON was the accuser; that he had, from time to time, transmitted letters and verbally made general accusations against MR. JOHNSTONE; and that His Royal Highness had felt it incumbent upon him, to call upon MAJOR GORDON, as soon as the proceedings against him had been concluded, to state, whether he *meant* to bring forward any specific charges against MR. JOHNSTONE. Thus, at last, this gentleman, who had for six months been requesting to be informed what those charges were, which, as the Duke of York told him, *existed* against him on the 10th of December, 1803, was informed.....of what? Not of the nature of the charges; no, but that the Duke of York had not yet ascertained whether Major Gordon *meant* to bring forward any charges at all; or, in other words, whether there were in existence *the grounds* whereon to form any charges; though, observe, as you must have observed from the Duke of York's letter above quoted, that the Duke of York had actually disgraced MR. JOHNSTONE, upon the ground, as stated by himself, that charges *existed* against MR. JOHNSTONE in the month of *the preceding October!*——Upon this no comment is necessary.——MR. JOHNSTONE, conscious that no criminal charge against him could be substantiated, eagerly waited for the day of trial, which day of trial he was, however, obliged to wait for until *the month of March*, 1805, though, according to the Duke of York's account, in his letter to MR. JOHNSTONE of the 10th of December, 1803, the *charges existed*, actually *existed*, in the month of October, 1803, a year and a half before it was thought proper to proceed upon them, though an officer of MR. JOHNSTONE's rank was kept all the while idly waiting for the day of inquiry, though both he and the public were suffering for the delay, and, which is of still more importance in the eyes of just men, though two brevet promotions had now passed him over and stigmatized him previous to his going before his judges!—— Previous to the assembling of the court-martial, however, there was a circumstance arose that merits particular notice.——MR. JOHNSTONE having thought it right to object to MR. OLDHAM, the Deputy Judge Advocate General, as the person to officiate at his trial, an objection founded, as it has since appeared, partly upon the hostility manifested by that gentleman towards MR.

JOHNSTONE at, and after, the trial of MAJOR GORDON; this objection having been made by MR. JOHNSTONE to SIR CHARLES MORGAN, the Judge Advocate General, this latter informed him, that he had had an intention of appointing some other person to officiate at the court-martial; but, that he had recently received *an application from the Duke of York*, requesting that Mr. Oldham *might officiate*, and that *this* had *determined* him (Sir Charles Morgan) to employ Mr. Oldham upon the occasion! MR. JOHNSTONE succeeded, at last, in setting this determination aside; but, will not the reader think it wonderful, that the Duke of York, the Commander in Chief, the person to whose sole care was committed all the army and all the means of defence of this nation; will not the reader think it almost incredible, that this person should find leisure to attend to matters so very minute as that of the selecting of a man to take down the proceedings of a court-martial!——The court-martial was, at first, ordered, by the Duke of York, to be holden at *Canterbury*, whither towards the end of February, MR. JOHNSTONE, together with his witnesses repaired. Several members of the court had also arrived, and they as well as MR. JOHNSTONE and his witnesses, had taken lodgings. Some of the witnesses, summoned from a distance, had actually driven through London to Canterbury, and were now obliged, by counter order of the Duke of York, issued on the 20th of February, to post back again to Chelsea, at the expense of themselves or of MR. JOHNSTONE. As no *reason* was given for this sudden change of place, the *motive* must be left to the reader to discover; but, it is right to observe, that MR. JOHNSTONE, in his letter to Sir Charles Morgan, dated on the 21st of Feb. 1805, states that great "inconvenience and expense will be occa-"sioned by this change, as well as *the im-"possibility of transmitting timely notice of "it to the witnesses, particularly those re-"sident in distant parts of the kingdom.*"—At Chelsea Hospital, however, the court-martial assembled, with LORD HARRINGTON at its head, on the 1st of March, 1805. The charges were then and there exhibited, and were as follow:

"FIRST CHARGE.——Having contrary to "his duty, and to the great injury of the "service, in or about the month of Octo-"ber, 1801, when he knew that the ac-"counts of the regiment were in confusion, "clandestinely obtained for his own use, "from Richard Seward, paymaster of the "8th West India regiment, by bill drawn "upon the agent of the corps, and by him "charged to the paymaster's regimental "account, the sum of five hundred pounds "sterling, being money due by government "to the corps, under the false pretence that "he would write to the agent immediately "to place the same to his own private ac-"count, and that it should not in any man-"ner affect the accounts or credit of the "paymaster with the agent or public; and "having afterwards falsely promised to the "commanding officer to transfer his pay as "Colonel to the paymaster to liquidate the "above sum of five hundred pounds, none "of which engagements he performed, "whereby the confusion of the accounts "was increased, and the paymaster was de-"prived of the means of regularly paying "the regiment. The accounts of the men "were unsettled, and, as would appear, dis-"content was excited in the corps.——And "having, in or about the months of March "or April 1802, when he knew that the "paymaster was in arrear to the regiment, "directed above one hundred and forty "pounds to be stopped from the paymas-"ter, out of the subsistence due to the re-"giment, under the false pretence that the "same was justly due to him, whereby the "difficulty of paying the regiment was in-"creased, contrary to his duty, and to the "injury of the regiment and service.

"SECOND CHARGE.——Having contrary "to his duty, and to the prejudice of the "service, at times between the month of "July, 1801, and the end of April, 1802, "suffered the resident paymasters, who "were his secretaries, unwarrantably to re-"tain, or neglect to issue regularly and "agreeable to general orders, a part of the "subsistence of the troops, under pretence "that the same was not received from the "deputy paymaster general; and in parti-"cular, having suffered resident paymaster "Charles Kerr, who was his secretary, to "retain, or unwarrantably to neglect to "issue, under the above false pretence, in "the months of March and April, 1802, "immediately preceding the mutiny of the "8th West India regiment, sums of money "due on account of subsistence, to that "corps, to the amount of about one thou-"sand pounds sterling, being nearly equal "to two months pay of the regiment, "whereby the men's balances were unpaid; "and, as would appear, discontent and mu-"tiny were excited among them. It fur-"ther appears, that Colonel Andrew Coch-"rane Johnstone asserted, both in word "and writing, a falsehood unbecoming his "rank and the character of an officer, to "vindicate Mr. Kerr's conduct, in not is-

" suing the money due to the regiment.
" THIRD CHARGE.——Having employed,
" or directed to employ, soldiers of the 8th
" West India regiment in manual labour,
" on his own lands, and on other works, and
" neither paid nor directed them to be paid
" for their labour; contrary to his duty, and
" to the injury of the service. In particu-
" lar, having repeatedly so employed, and
" not paid for their labour, a considerable
" part of a detachment of recruits, belong-
" ing to the 8th West India regiment, con-
" sisting of about seventy or eighty men,
" while quartered at Roseau, the residence
" of Colonel Andrew Cochrane Johnstone,
" for some months immediately preceding
" the month of Sept., 1801, and having,
" although under his immediate inspection,
" totally neglected to have them instructed
" and trained to discipline, as his duty and
" the good of the service required.——And
" having in the months of March and April,
" 1802, immediately preceding the mutiny
" of the 8th West India regiment, directed
" the regiment to be employed in cutting
" wood, and clearing some swampy ground
" in the neighbourhood of Prince Rupert's,
" in the island of Dominica, with the view
" (as would appear) to convert the same to
" his own use; and having neither paid the
" men, nor directed them to be paid, for
" their labour, to the great injury of the
" service; as thereby, it appears, discontent
" and mutiny were excited in the regi-
" ment.

" FOURTH CHARGE——Having, in di-
" rect opposition to his duty, as command-
" ing officer of the troops in Dominica,
" availed himself of his military power to
" violate the laws, and to infringe the rights
" and liberty of the subject, between the
" month of August, 1801, and the end of
" July, 1802. In particular, having in
" violation of law, and of the rights of
" the subject, on or about the 14th day of
" December, 1801, caused James Ryrie,
" a civil inhabitant of the island of Domi-
" nique, to be illegally arrested by an
" armed military detachment, and to be
" confined in a military fort and guard-
" house; and having suffered the said
" James Ryrie to be insulted, beaten, and
" maltreated, by persons under his imme-
" diate influence and command, without
" taking steps to prevent the same, or to
" discover and bring to justice the authors
" of such outrages, or the person or persons
" who employed them.——And having
" further, in opposition to his duty as com-
" manding officer, as aforesaid, and in
" violation of the laws, and the liberty of
" the subject, in or about the month of
" July, 1802, authorised and permitted
" his own menial servant in his presence,
" to insult and threaten with a pistol, Mr.
" Etienne La Caze, residing in the island
" of Dominica, and formerly a lieutenant
" in the Loyal Dominica regiment, and
" authorising or permitting his servant
" forcibly to drag the said Etienne La Caze
" to Fort Younge, and to deliver him
" illegally a prisoner to the guard, and to
" have him there confined, and a centinel,
" with a drawn bayonet, placed over him.
" Those instances affording proof of abuse
" of military authority, and of conduct
" unbecoming an officer and a gentle-
" man."

Such were the charges, at last exhibited, and I beg the reader to bear in mind, that, according to the acknowledgement of the Duke of York and his Secretary, these charges had been preparing from, or be-fore, the month of October, 1803, and were not actually exhibited until the 1st of March, 1805! The decision of the court, at the end of a twenty-five days' trial was as follows:——" The Court Martial having
" weighed the whole of the evidence ad-
" duced by the prosecutor Major Gordon,
" and that brought forward by the Honoura-
" ble Colonel Andrew Cochrane Johnstone
" in his defence, is of opinion, that the
" 500l. bill, mentioned in the First Charge,
" was not clandestinely obtained by Colonel
" Johnstone, and that it doth not appear,
" that his Majesty's service, or the good of
" the regiment was in any degree injured
" by that transaction; and therefore the
" Court doth honourably acquit him of the
" former part of the First Charge.——With
" regard to the second part of the First
" Charge; viz. directing 140l. to be stop-
" ped from the paymaster, out of the sub-
" sistence due to the regiment, the Court is
" of opinion, that no blame whatever at-
" taches to Colonel Johnstone in this trans-
" action, and they therefore also honour-
" ably acquit him of the same.——With
" regard to the first part of the Second
" Charge, the Court is of opinon, that it
" hath not been proved, and therefore ac-
" quits Colonel Johnstone of the same.——
" And with regard to the second part of the
" Second Charge; viz. the having asserted
" a falsehood unbecoming his rank, and the
" character of an officer, the Court doth
" most honourable acquit him.——With
" respect to the first part of the Third
" Charge, it appearing that the offence set
" forth therein, took place (if at all) above
" three years prior to the date of His Ma-

" jesty's warrant for holding this Court " Martial, the Court is of opinion, it hath " no power to take cognizance of the same. " ——With regard to the second part of " the Third Charge, the Court sees no rea- " son whatever to believe, that Colonel " Johnstone had any intention to derive in- " dividual benefit by the labour of the men " from working in the swamp, and they " therefore acquit him of the charge; al- " though they cannot approve his having " ordered the work on the swamp, under " all the circumstances of the case.—— " With respect to the Fourth Charge, the " Court is of opinion, that it is not sub- " stantiated, and therefore acquit him ac- " cordingly."——Now, I wish to be understood as not resting at all upon this acquittal, upon this decision of LORD HARRINGTON and his fellow judges. Mr. JOHNSTONE's cau e and character scorn such a defence. I rest upon the *evidence*, as taken down before the court and as since published at large; and, having read that evidence with great care, I assert, that not only were the charges, *all* the charges, unfounded, and totally unfounded, but that there was not produced before the court any fact to show, or to cause it to be believed, that, in any one instance, the prosecutor, MAJOR GORDON, *could possibly believe the charges to be true.* I assert, that, instead of demerit; instead of neglect of duty, instead of selfishness, instead of tyrannical conduct; it was *proved* that Mr. JOHNSTONE had been, through the whole of his command, a most vigilant and zealous officer, just, liberal, kind, and generous to his regiment and to every description of persons under him, whether as a military or civil officer. These assertions I make after a most attentive examination of the whole of the proceedings of the court martial, and for the truth of these assertions I appeal to the printed account of those proceedings. ——Let us now recall to mind, then, the letter of the Duke of York to Mr. JOHNSTONE, dated 10th December, 1803, in which the former, in order to pacify the latter, assured him, that, if the result of the investigation should be favourable to him, there would " *not be any difficulty* in his " recovering the rank to which his seniority, " as Colonel, entitled him." The result being now known; that result being decidedly favourable to Mr. JOHNSTONE, his rank, one would have expected to see instantly restored to him. That this was not the case the public already know; and, we are now about to see upon what grounds it was refused.——On the 18th of April, that is to say, in about three weeks after the trial was over, Mr. JOHNSTONE, went to the Horse Guards to wait upon the Duke of York; but being informed that he " *could* " *not have access to the presence*" of that Royal Personage, he applied, on the 19th, by letters to the Adjutant General, for the restoration of his rank. After a good deal of procrastination, he obtained the infinite honour of coming into the presence of the Duke of York, whom he begged to tender his commission (as Colonel) to His Majesty, as he could not think of remaining in the army with a stigma fixed upon him. His Royal Highness was most graciously pleased to tender the Colonel's commission to His Majesty, of which His Royal Majesty was most graciously disposed and pleased to accept.—But, now for the *grounds* upon which the Duke of York refused to restore Mr. JOHNSTONE to his rank.—And here the reader will please to observe, that the sentences, or decisions, of all General courts-martial are communicated to the King by *the Judge Advocate General*, who, when he has received the commands of the King, communicates them to the Commander in Chief together with *the King's remarks* thereon. Sir Charles Morgan, having first laid the decision of this court-martial before the King, next communicated it to the Duke of York, subjoinjoining thereunto the following remarks on the part of the King:——" And I " am to acquaint Your Royal High- " ness, that His Majesty has APPROVED the " decision of the Court Martial upon the " several points brought under their conside- " ration.——With respect to the circum- " stance of the Court having been inhibited " from taking cognizance of one of the " most material articles of charge, by reason " that it appeared, upon explanation, that " the supposed fact, which the prosecutor " had in contemplation, and which he ex- " pected to have been able to establish by " evidence, certainly did not take place " within three years antecedent to the date " of the warrant for this trial; *His Majes-* " *ty considers* this lapse of time to have been " owing to an *improper conduct of the pro-* " *secutor*, who, instead of making *general* " *accusations*, highly reflecting upon the " character of Colonel Cochrane Johnstone, " might and ought to have set forth in sub- " stance the particular instances of crimi- " nation which he had in view.——In re- " gard to another article of charge imput- " ing to Col. Cochrane Johnstone his hav- " ing, in the months of March and April " 1802 (a period within the cognizance of " the Court Martial), employed soldiers of

" the 8th West India regiment in work to-
" wards clearing the swamp *without paying*
" *them or directing them to be paid for their*
" *labour*, His Majesty perceived with satis-
" faction, that the evidence has not fur-
" nished any reason to suppose, that he de-
" rived, or had in prospect, any individual
" advantage, as the prosecutor had by his
" charge suggested: His Majesty however
" *expressed much disapprobation* of the sol-
" diers having been so employed and un-
" paid, more especially as Colonel Coch-
" rane Johnstone acted therein upon his
" own sole authority, and without the as-
" sent or privity of General Sir Thomas
" Trigge who commanded in chief, and
" whose sanction, it was his duty to have ob-
" tained before any such measure was taken."
——The remarks, given in the name of, and *as coming from*, His Majesty, observe, the Duke of York, in a letter which Mr Johnstone, at last, got from him, on the 16th of May, 1805, asserts to be the grounds upon which he refused Mr. Johnstone his rank. His words are these: " I must however, ob-
" serve, that in consequence of the public
" letter of the Judge Advocate General,
" transmitting to me the decision of the
" General Court Martial (*on which letter*
" *alone I must form my opinion on the whole*
" *matter of your case*), and which the Judge
" Advocate General conveys to me His
" Majesty's approbation of such decision,
" together with the *remark* which his Ma-
" jesty was pleased to express upon your
" conduct, I cannot conceive, that so long
" as the *strong displeasure* of His Majesty
" remains upon the public records of the
" army, that I should be warranted to take
" upon myself to recommend to His Majes-
" ty, that an officer, *labouring under such*
" *high censure*, should be promoted in His
" Majesty's service. I have, therefore, in
" conformity to your request, laid the re-
" signation of your commission as Colonel
" at His Majesty's feet, and am command-
" ed to acquaint you, that His Majesty
" has been graciously pleased to accept
" the same,"——Thus we see that where a court-martial has *acquitted*, the king may make a *remark* upon the decision, and that remark may be the ground of *punishment*! But, supposing, for a moment, these remarks to have come from the king, and taking the latter remark first, how does it agree with the opinion of the court-martial? The court say, that they wholly acquit Mr. Johnstone of all criminality upon the charge; but, that, under all the circumstances of the case they *cannot approve* of his having ordered the work upon the swamp; but, they do not even hint that the men ought to have been *paid* for it, as is suggested in the remark; and, indeed, they ought not to have been paid for it, it being a mere duty of *Fatigue*, for which soldiers are never paid. It was a duty similar to that of cleaning a Barrack-yard, or levelling a parade; and does not every one perceive, that if soldiers were to be paid for work like this, that there would never be any end of payment? If, indeed, Mr. Johnstone had employed the men in making exhibitions, in preparing diversions for himself or his friends; if he had employed them in dancing attendance upon, in working for, in removing the goods, of a strumpet, for instance, or of any other person not belonging to their corps; then, indeed, he would, have deserved censure. It was *proved* upon the trial, that the men were ordered to perform work conducive to their own health; that the land they worked upon belonged to the public; that if the work had been paid for the public must have paid; that the work was one which the ministers at home anxiously wished to have performed; and the only question was, whether it was *advisable* for Mr. Johnstone, under all the circumstances of the case, to employ *his men* upon this work or not. I think it is clearly *proved*, that it *was* advisable! but, as the court thought otherwise, let us *suppose* that it was *not advisable*; and, then, it will, I think, be agreed, that when the court said that they could *not approve* of the men having been so employed, they went quite as far as the case would warrant. But when this *not approving* comes to His Majesty, it rises into " MUCH *disapprobation*;" and, when it comes to the Duke of York, it towers up to " *strong displeasure.*" and " *high censure*;" and becomes the ground of *punishment* and *disgrace!*——But, it is the *former* of the two remarks, made in the name of, and as coming from, the King, that we have chiefly to notice. The Judge Advocate General, Sir Charles Morgan, tells the Duke of York, and through him the whole army (upon the public records of which the letter was put), that *His Majesty* remarks that it appeared that the " supposed fact which the prosecutor
" *expected* to have *established by evidence*
" did not take place within three years of
" the date of the warrant for the trial,"
and that " *His Majesty considers* this lapse
" of time to have been owing to the improper
" conduct of the prosecutor, who, instead
" of making general accusations, might and
" ought to have set forth particular instances
" of crimination."——First, observe, that

the *supposed fact*, here alluded to, and which, as it is expressed in the remark, belonged to "one of the most material "articles of charge," was, that Mr. JOHNSTONE had *employed his men to work upon his own lands and for his own private emolument and advantage*, as it is stated above in CHARGE III. Who, upon reading the decision of the court and the remark made in the name of the King; who, upon reading these (which, observe, have been *put "upon the records of the army"*) would not imagine, that this "lapse of time" was *fortunate* for Mr. JOHNSTONE; and that, if his prosecutor could have got him sooner to trial, he *might*, upon this charge, at least, have been convicted? Is not this the impression which these documents are calculated to give? But, let the following facts be, then, known, and let them be remembered: 1st, that the act charged was alleged to have taken place *previous to September*, 1801; 2d, that an investigation into the conduct of Mr. JOHNSTONE was contemplated by the Duke of York in October, 1803, and upon that contemplation he withheld Mr. JOHNSTONE's name from the brevet promotion; 3d, that, between September, 1801, and October, 1803, only *two years* and one month had elapsed; 4th, that, between October, 1803, and August, 1804, when the warrant for the trial was, at last, issued, Mr. JOHNSTONE had made repeated and urgent requests to the Duke of York that his trial might take place *without delay*; and 5th, that Mr. JOHNSTONE expressly requested, in a letter to the Adjutant General, dated 22d June, 1804, that "*no part "of the grounds*, on which Major Gordon "had proposed to found his charges against "him, *should be kept back* from examina-"tion." Whose fault was it, then, that the court-martial were, as the remark, in the name of the King expresses it, "*inhibited "from taking cognizance* of one of the "most material articles of charge?" But, the most important circumstance relative to this remark remains to be noticed. Who would not imagine, from reading it, that the court-martial had *not examined* into the *truth* or *falsehood* of this charge; The fact is, however, that they did fully *examine into it:* and, that the charge was *proved* to be *utterly false and destitute of the semblance of foundation!* The court, upon discovering the date of the alleged act, found that they were by law inhibited from taking cognizance of it; but, they had previously examined all the *evidence* as to the *fact*; and, if it was necessary to make the remark; if it was necessary to put "upon the records of the army" the remark above quoted, as to the *lapse of time*, and as to the *expectation* which MAJOR GORDON had of *establishing the charge by evidence*, should it not also have been remarked, that ALL THE EVIDENCE WAS PRODUCED, and that the charge was *proved to be false?* Should not this also have been "put on the "records of the army?"——Such, reader; such, Englishmen, were the grounds, upon which the Duke of York refused MR. JOHNSTONE the restoration of his rank; such were the grounds, upon which this gentleman, after a life of arduous military service, in divers parts of the world and against divers enemies, without ever having once *ran away* or brought *disgrace upon the arms of England*, was refused his rank, was punished in a manner the most severe by the Duke of York.——The *remarks* communicated to the Duke of York in the King's name, and as coming directly *from the King*, were, the reader will have perceived, regarded by the Duke of York as so imperiously binding, that it was out of his power not to act in rigid conformity to their spirit. He tells MR. JOHNSTONE, in the letter above quoted, that the letter, transmitted to him by the Judge Advocate General, is that on which he must form his opinion on the whole matter of *Mr. Johnstone's case*. That his Royal Highness was not entirely and in all cases, submissive to the opinions of the Judge Advocate is pretty clear from the fact. as stated by the latter himself, that his Royal Highness did so far possess weight with him as to *determine* him to appoint Mr. OLDHAM to officiate at the trial, contrary to the first intention of the Judge Advocate. Who, then, would not suppose, that the *remarks*, the famous remarks, above quoted, *did actually proceed from the King?* Whether they did or not the reader may judge, when he has read the following letter from Sir Charles Morgan to MR. JOHNSTONE, dated 26th of April, 1805:——"Sir, Aware of your "anxious and natural wish to receive early "information of the result of the proceed-"ings of the Court Martial upon your trial, "I did not hesitate, on the same day on "which the original was penned, to send to "your house in town the substance (I be-"lieve, a copy) of the letter, which noti-"fied to the Commander in Chief the sen-"tence, and his Majesty's pleasure respect-"ing the same. I think it proper now to "intimate to you, that *I have since seen "occasion to recal that letter, and to sub-"stitute another in lieu thereof:* in which "last-mentioned letter (the only diffe-"rence which I know between the two)

" the whole paragraph which contains the " remark upon the article of the charge, " whereof the Court did not think itself " authorized to take cognizance, is " omitted, *I have taken upon myself* to " explain to His Majesty, and I have " *confidence* in being able to explain *satis-* " *factorily*, the occasion of this remark " being now omitted."——So, here is a person, who has the power to communicate to the Commander in Chief the decision of every general court-martial, accompanied with *His Majesty's* remarks thereon, from which remarks *alone* the Commander in Chief " must form his opinion upon the " *whole matter of each case*," and must, of course, act towards the parties accordingly; and this same person has the further power of *altering those remarks* whenever he pleases, not only without the orders, but even *without the knowledge* of His Majesty! And, yet, observe, this same powerful person; this person who can " *take upon him-* " *self*" to alter public remarks of His Majesty intended to be put " upon the " records of the army;" this same person is, we find, so much under the influence of the Duke of York, as to change, at the Duke's bare request, his intention as to the person whom he shall employ to officiate in his stead at a court-martial!——Any further comment would be superfluous. The reader is now in possession of the case of MR. JOHNSTONE, and it only remains for me to remind him of the steps therein taken by the Spartan General, FITZPATRICK, whose couplet upon a turn-coat member of parliament, who quitted Lord North, after he was out of power, upon condition of getting a regiment from Mr. Pitt, I have taken for a motto to the present number.—— In the month of June, 1805, Mr. JOHNSTONE having failed in all his endeavours to obtain redress from the Duke of York, made known his intention of bringing the subject before parliament. General FITZPATRICK undertook; I say, he undertook to bring it before parliament. I assure the public, that both General FITZPATRICK and Mr. FOX *promised* Mr. JOHNSTONE, that, whether in power or out of power, they would use their utmost endeavours to obtain him redress. It was, in consequence hereof, settled, that General FITZPATRICK should open the subject in the House of Commons, as soon as an opportunity offered, and that he should propose a specific proceeding thereon at the commencement of the then next session of parliament. The former he did, on the 28th of June, in the following speech: —— " I rise, Sir, " to mention a subject, on which it is " my intention hereafter to submit a mo- " tion to the House; and I wish to take the " present opportunity of doing so, because " it relates to that military administration " which is to form part of the business of " this day's discussion. The present advanced State of the Sessions will prevent my " being able to bring forward any motion, " though *I wish it much*. It is, however, a " subject of such *extreme importance*, that " it is necessary for me to take some notice " of it. The House may be assured I shall " state it in form on a future occasion, and " *as early as possible*. The subject consists " of a very *gross and alarming evil*;—one " which, I apprehend, has but lately crept " into the administration of the Military " Law of this country. I trust, the practice " to which I allude is an innovation of not " many years standing. I am informed it " is. It respects the execution of the du- " ties of the office of Judge Advocate Gene- " ral of the army. I find, that under the " present practice, there is in the office of " Judge Advocate, the assumption of a pow- " er, which I conceive is not consistent with " that office, and *not warranted by the laws* " *and constitution of this country*.—Every " gentleman who hears me, knows how " great the extent of the Royal Prerogative " is with respect to the Military Govern- " ment. Every one knows the power of " His Majesty to dismiss, without a Court " Martial, any person who bears a commis- " sion in the army.—I should be the last " man to call in question the Royal Prero- " gative; but I am sure no man will con- " tradict me when I say, that a Prerogative " of such extent ought to be exercised *under* " *the advice of responsible Ministers*. The " law of this country enables His Majesty to " appoint Courts Martial for Military of- " fences. The law places in his Majesty " the right of confirming or remitting their " sentences, but I do not believe that the " law or the constitution of this country " could ever intend that the officer of the " Crown, in the exercise of such a Preroga- " tive, should be the Judge Advocate of the " army. I believe he is at present the sole " adviser of the Crown. I believe that this " practice has prevailed only during a part " of the time the Right Hon. Baronet has " been in possession of it.—Formerly the " transmission of sentences of Courts Mar- " tial was through the office of the Secre- " tary at War. The Secretary at War of " course became responsible for the advice " he gave. With respect to his decision, I " am not sure that I think that was sufficient

" ently solemn for a decision of so impor-
" tant a point. *I cannot conceive why the*
" *lives, fortunes, and characters of His*
" *Majesty's Military officers, should not be*
" *entitled to as solemn a consideration as those*
" *of every other subject in the country.*—
" Every one knows that those important
" concerns, as they affect other classes of
" His Majesty's subjects, are decided by His
" Majesty in Council. I think the same
" solemnity ought to be observed with re-
" gard to the Sentences of Courts Martial;
" but that will be a question for future con-
" sideration. That this practice does pre-
" vail, and has been attended with great hard-
" ship to individuals, I shall be enabled to shew
" in a case that has lately occurred, *and has*
" *spread the greatest alarm throughout the*
" *whole army.* I allude to the case of
" COLONEL COCHRANE JOHNSTONE, a
" gentleman, who, *after a Trial by a Court*
" *Martial, and an honourable acquittal,*
" *has, at the instance of the Judge Advo-*
" *cate, been exposed to the penalties and*
" *punishment attendant upon guilt.*——
" This is what I shall submit to Parliament.
" I am aware that an appeal from the Sen-
" tence of any Court Martial to this House
" is a delicate question; but in the present
" case the appeal is in favour of the Court
" Martial, and seeks redress against the
" effects of *undue influence.* I beg pardon
" for dwelling so long on the subject. I
" have risen to give this notice, and *I shall*
" *bring forward the motion early next Ses-*
" *sions.* It will consist of two branches;
" one will be a complaint against the
" exercise of the office; the other will
" refer to the means of defining the
" power of the officer, and will suggest
" some provisions as to the manner of
" his conducting himself in future."——
——Now, I ask the reader, if any pledge could possibly be more solemn than this? The sequel is told in a few words: the General, the Spartan Chief, was then out of place; soon after parliament met again he was in place; soon after that he gave notice, from the Treasury Bench, that he should *not bring forward* the motion of which he had given notice from the Opposition Bench; and soon after that he, who had *sold his company in the Guards twenty years before,* and who had never served a single day since, *had a regiment given him by the Duke of York!* And, let it be observed, that, as *Secretary at War,* it is with himself alone to sign and pass his accounts and vouchers, as *Colonel of a Regiment!*——Many are the applications which MR. JOHNSTONE has made, to him and to Mr. Fox, to know whether they mean to fulfil their promise; never has he been able to obtain any direct answer; but, their intentions have been fully explained by their conduct, and of that conduct I now leave the world to judge.

BARRACK-ABUSES.——Next in importance to economy in the expenditure of the public money is the subject above treated of; and I shall make no apology for excluding all others in order to leave room for these; for, on the way in which they shall be finally decided, will depend very much what ought to be the objects of our hopes, and of our fears.——The BARRACK ABUSES have, thanks to Mr. Robson, attracted general attention. The subject is simple. Every one understands it; and it has not been rendered unintelligible by any attempts at fine reasoning and elegant speechifying. We have now a specimen before us, not only of the waste of the public money, but of the disposition of the *present* ministers relative thereunto. There is no such thing as blinding the people here; and the effect will, I trust, be finally greatly beneficial to the country.——On Monday last, the 30th ultimo, General FITZPATRICK asked Mr. ROBSON, in his place in parliament, whether he meant to make any motion upon the papers which *he* had moved for, and which the House had granted? Mr. ROBSON answered, that the motions were made by the Chancellor of the Exchequer, who had condescended to become his imitator, but without acknowledging it; that he, Mr. ROBSON, had anxiously waited to see what the Chancellor of the Exchequer would do with the papers; and that, unless the business was seriously taken up by ministers on an early day and sifted to the very bottom, he, Mr. Robson, should think it his duty to submit a motion to the House on Friday. Before this sheet goes to the press, Mr. ROBSON will, in all probability, have made his motion; and, in the meanwhile, General FITZPATRICK has moved for the producing and printing of certain letters that passed between him and the Barrack-Master General (Hewett) upon the subject of MR. ATKINS's dismission; upon which we may, by anticipation, safely observe, that, unless these letters will prove, that the order for dismissing MR. ATKINS was given *previous to his proposition for saving the public money,* they will not alter, in one jot or tittle, the public opinion upon the subject. Mr. ROBSON never boasted of the *character* of his informant; he took upon himself no responsibility for the character or the conduct of any man; he called for papers to give the House information as to facts, quite inde-

pendent of persons; it was Lord HENRY PETTY, who *gratuitously* called for a paper relative to the man, who had been so *indiscreet* as to make the economical proposition; till then neither the unfortunate man nor his starving family were heard of; neither Mr. ROBSON nor any one else even stated the bare fact of his having been dismissed; and, therefore, if the affidavit against MR. ATKINS, brought forward by the ministers, and printed by order of the House of Commons, has led to a discussion in public that has created uneasy sensations at the Horse Guards or any where else, let those ministers thank themselves for it; for, as to Mr. ROBSON, I repeat, that he has never laid any stress upon the *character* of Mr. ATKINS or any *other person*, high or low, in the Barrack Department. He may *believe*, as I do, that Mr. ATKINS is innocent of any serious offence; but, he has never said so; and, if the Spartan hero should vanquish Mr. ATKINS, which I am firmly persuaded he will not do, I take upon me to say, that he will not take one feather from the plume of Mr. ROBSON, who will, I trust, go on undismayed, until he has brought about a thorough reformation in this most expensive department, and has thereby saved us, in some degree, at least, from the pressure of additional burdens.——*Botley, July* 3.

COMMISSIONERS OF ACCOUNTS.

SIR,—— Without stopping to inquire whether it be more consistent with public utility, that the retrospective investigation that is about to take place into the expenditure of the public money, should be performed by parliament itself, rather than by a board constituted for that express purpose; I would beg leave, as the latter mode seems about to be determined on, to propose an expedient which, if my view of the matter be correct, would remove the most prominent objections to the business being conducted by a Board of Auditors. Hitherto, analagous inquiries have been carried on by persons sitting in apartments accessible to none but themselves, or parties immediately concerned: but, as such inquiries bear a very intimate analogy, both in the object, and in the mode of attaining that object, to proceedings that are carried on before courts of justice, prudence dictates the grafting on these courts such features (and they will not be very numerous) as in the courts of law have been found by experience to contribute towards the attainment of the ends of justice. The capital feature then in these courts, and that which so happily pervades the whole system of our government, is publicity: and to this it is, probably, that we are indebted for such blessings as we have catered out for ourselves, or as have been handed down to us from our forefathers.—What I would propose then is, that the Board of Auditors of Public Accounts should sit, not in a private apartment, but in a room into which every body should have free access; that all examinations should be conducted in the presence of such as might choose to attend; and that, in fact, the auditors should take every means in their power to give the utmost possible immediate publicity to their proceedings; not merely byplacing themselves in a room of glass, as it was the wish of the Roman to have done, but so arranging matters as that people may *hear* as well as *see* what is going forward.—Even this of itself would perhaps be sufficient to insure the diligence and probity requisite for such a purpose: but what would afford an additional security for the completeness of the examinations that might be made, would be the giving the members of both Houses of Parliament the power of putting questions to any parties while under examination, similar to the power which each of the members of the House of Lords possesses, and frequently exercises, of putting questions to examinees while their House sits in its capacity of a court of judicature. With the assistance of these expedients, the public acting as a check to undue favour being shewn; the members of parliament supplying any defect they may observe, whether arising from incapacity or undue favour in the auditors; we may look forward with a tolerable degree of confidence to the seeing accomplished as much good as can be expected from the proposed investigation.—— It may perhaps, be observed, that the subject upon which the inquiry in question is to take place, is of a nature so little likely to afford amusement, and therefore attraction, to casual visitors, as that such an audience, as would be any way useful, would scarce ever be collected: but to this it may be answered, that the advantages to be expected from publicity do not arise merely from the *number* of the visitors, but from the state of ignorance in which the persons exposed to such publicity remain, with regard to *who* it is that may be witnesses to their proceedings. The end of publicity may be effected by the presence of one person: that one person not being known by the functionaries but to possess in the most eminent degree, capacity, inclination, and interest, to expose any defects he may observe in their mode of proceeding. It may be further objected to the proposed publicity, that the public mind

might thus come to be prejudiced against an individual whose conduct might appear less censurable when it came to be fully developed. If this, however, is to be considered as a valid objection against publicity with regard to the courts in question, so must it be considered as against publicity in courts of law. All that is contended for here is, that the proposed court of military inquiry should be put on the same footing, with regard to publicity, as courts of justice.—But, independent of all other advantages, independent of the increased efficiency that such securities would be calculated to insure, as it is the public money the abusive expenditure of which is under consideration, the public, no inconvenience resulting from it, is entitled to receive the earliest possible information of the proceedings of the persons they pay for inquiring into such expenditure, and that the powers with which they are invested are applied in the most efficient manner. Nothing can be more cheering, nothing more desirable, nothing more just, than the placing it in the power of the people themselves, to witness that the money they have contributed towards the support of the state has not been misapplied. The pursuing a secret mode of inquiry, is of itself a sufficient cause for alarm, and under favour of this precedent, there are no abuses to the concealing of which this principle may not be extended. If it be proper to conduct such proceedings as those in question in a room which to the public is inaccessible, may it not be said, with equal truth, that courts of justice should also be rendered inaccessible to the public. If the principle of secresy be properly applied in one case, it, is equally proper to apply it in the other.—I am, Sir, yours, &c.—DECIUS.—*June 25, 1806.*

BREWING TAX.

SIR,——In Scotland, we have been greatly surprised at the lamentations with which in England, one set of persons has bewailed, and the curses with which another has execrated, the proposed, and for the present abandoned, tax upon *private breweries*. Here, where few private families exercise the trade of a brewer, we conceive it to be a matter of the most trivial consequence, whether the ale brought to table be the produce of the *landlord's*, or of his neighbour the *brewer's* industry; and we think that man just as hospitable and as brave who drinks the one, as he who drinks the other. With you, however, different opinions seem to be entertained. But whether they be the offspring of an absurd prejudice, or of a rational conviction, I do assure you there is here very little hesitation in deciding. Though, however, I thus consider the real merits of the question as extremely plain, yet, as I observe, that the senseless clamours of the English public, have occasioned the abandonment of the tax, I am induced to lift my voice in its defence; with an expectation, if not of producing conviction, at least of drawing forth argument.—But before submitting to you my ideas on this subject, I beg leave to make this preliminary observation, that I defend the *principle* of the tax, not any particular mode of levying it. I shudder, indeed, at the notion of a discretionary power vested in a truly contemptible set of men, of disturbing the peace of the most respectable families throughout the empire, by a vexatious and abominable excise. But I *may* express my opinion, that to the mode last proposed by the Chancellor of the Exchequer, no solid or sufficient objection can well be made.—From what, then, does the unpopularity of the measure arise?——Your correspondents and you yourself, unceasingly attempt to unite, as if they were inseparable, the preservation of our civil liberties with the fate of this tax. "Enact the private brewing law, you say, and the liberties of England are gone; if you do not allow John Bull to drink beer that he himself has made, he is no more fit for opposing the encroachments of despotism: *home brewed ale* rouses him to a sense of his independence, invigorates his system, and renders him terribly fierce against the abettors of slavery; while the noxious and contaminating produce of the *public brewery* is a soporific which makes him dead to his blessings, indifferent to his friends, and submissive to the yoke of bondage." That this, joined to an undefined and unintelligible notion of the decrease of hospitality attendant on the measure, is the real source of the public clamour, you are acute enough to perceive, and I dare say candid enough to allow. And if it be, truly it affords a caricature on liberty. What! do the liberties of Englishmen depend on, or are they in any way to be affected by a cann of beer? Do they in any measure owe their continuance to that rough and barbarous incivilisation, or to that mean and selfish affection for these physical comforts, in which, perhaps, our liberties at first originated? Are we not rather indebted for their preservation to the universally diffused knowledge of the blessings of independence, and to the uninterrupted view, in the situation of all our neighbours, of the despicableness and unworthiness of slavery? An argument founded on such a

basis is intolerable. We can submit, indeed, to see John Bull *in a caricature*, pourtrayed as a huge, swollen fellow, growling (as fiercely as a chained mastiff at a beggar) at any one who lays violent hands on his jug of beer, or pipe. But to introduce his *fierceness* as a serious argument, is utterly contemptible.—That, indeed, a tax on private brewing is in no way connected with the preservation of civil liberty, is to an impartial person, I conceive, a plain proposition. Assuming it, therefore, as incontrovertible, I shall state shortly the immediate advantages that attend the proposed tax on home breweries.——1. In England it will be very productive. That at present there is a large number of private breweries, is past doubt: and if the practice of private brewing be really attended with all those comforts which are said to accompany it, and if it be so dear to Englishmen as it is represented to be, trust me the number of private brewers will be no way diminished by the imposition of a tax upon them. In this argument, you will observe, I allow the inordinate attachment of the English to this practice to be well founded. But, as I conceive that attachment to be altogether absurd and groundless, I am prepared to show that the *decrease* of private breweries to be expected from the measure, will in no way hurt either the revenue or the country. If Englishmen continue (and as long as the hop grows in England instead of the vine, *they must* continue) to drink strong beer; and if they abandon the private brewing of it, they certainly will buy it from a public brewer. Now, as a duty is laid on the *latter*, the revenue receives that benefit, through the manufacturer, which, by the continuance of the practice of private brewing, would flow directly from the consumer; and the amount of duty would be equal in either case. But, say *the Englishmen*, "we use, "in the manufacture, twice as much malt, "and twice as much hops, as the public "brewer does. And, of course, the duty "on a smaller quantity of both will be paid, "if private breweries be suppressed, than if "they be not." (See W. D.'s paper. Reg. Vol. IX. p. 940.) Here, Sir, I beg leave to ask, whether the private brewer, when he consumes twelve bushels of malt in a hogshead of ale, takes of that article *more than is necessary*, or *just enough*. If, on the one hand, *too much* be used, then is the private brewer guilty of a most ruinous and reprehensible waste of grain; the universally extended and severely felt effects of which, on the country at large, far overbalance the small increase of revenue gained by this superfluous consumption of a necessary article of subsistence. The misapplication of any article, never can *essentially* benefit either the country or the revenue. As well might it be said, that the man of fortune would confer a real benefit on his country who should purchase a quantity of British cloths, and (for the encouragement of trade and the good of the revenue) burn them to ashes, as that such a superfluous consumption of malt could in the end serve either government or the farmer. If, on the other hand, the private brewer puts *just enough* of malt into his hogshead of ale, is it to be supposed that when there is an effectual demand for a good article (as there must be when the rich buy from the public brewer, as well as the poor) the *public* brewer will not be as lavish, and make his ale equally good? It cannot be said that he will not: and if so, then is there no possibility of loss to government by a decrease of duty, while it is equally impossible that the country should suffer by a wasteful and extravagant use of grain. —Here, I am led to observe a notable argument urged by your wise correspondent, to whom I have referred, who deprecates this tax, because if this duty be imposed, "either we must adopt some beverage or "other in lieu of beer" (does the gentleman propose *claret or port?*), or we shall be compelled to purchase from the public brewer, "who, *having no competition to "mind*, will deal out any article he pleases "to his customers." Upon what system of political economy, think you, is this gentleman's opinion founded, who augurs a *diminished competition* from an *increased demand?* At present, it is undoubtedly true that little competition exists, because none but the poor purchase from the public brewer. But if this tax have its expected effects, it can only produce an increased competition by sending the rich into the market, and of course effecting an improvement in the quality of beer.——2. That this tax, therefore, possesses the quality of permanent productiveness (and that, in the end, it will serve the *grower* of the materials of the manufacture as well as the *consumer*), appears incontrovertible. Added to this, it is one which throws the burden of the beer tax equally on rich and poor; a burden which at this time oppresses the latter alone. They, unable to maintain a brewing establishment, must content themselves with the produce of the public brewery; and they, of course, must, as consumers, pay that tax which is levied on the manufacturer. But the man of capital (who can best bear the burden of a tax) drinks his beer free of duty; and is

incensed to the most excessive fury when you attempt to raise from him that duty which his meanest dependants daily contribute; deprecating the attempt as if it were to cause the subversion of liberty and the destruction of hospitality, and exclaiming against the authors of it, as if they were his foulest enemies.——I shall not detain you longer with this question. I trust the principles of this tax and its advantages are sufficiently plain; and I hope that when it is next proposed, the minister will not be deterred from prosecuting it by the clamours of the multitude, even though we should have to rank among them that patriot whom I now address.——I have the honour to be, &c.——B.——*Edinburgh, June* 27, 1806.

SUBALTERN OFFICERS.

Sir,——I am induced from its singularity, to transmit you a leaf I have found of a late work published for the encouragement of the Cork porters, entitled "Wealth and Luxury, or the Advantage of being a Coalheaver," in which it is clearly proved that he may support his wife and family, and regale himself liberally with the best London porter, whilst the gentleman, who steps forward to shed his blood in the service of his country, can drink nothing better than small beer; and, notwithstanding, goes to jail at the end of the year for £93. 12s. 10d.—— They say "a labourer is worthy of his hire," but I do not apply that to soldiers. I see no use for them when we have so many volunteers. But, if we must have them, I would rid the nation of some of their superfluous expenses. The French fought very well when Sans Cullottes, and it is well known that hounds hunt best fasting. Both of which improvements might be adopted, for the Scotch part of the army in particular; the Caledonians being proverbial for fighting best when hungry. I must, however, confess, that it might not, at first, suit the others; the Englishman being said to fight best when his belly's full, and the Irishman when half drunk. But, report says, they expect a great *increase* to their pay, and quote the Emperor of Austria as a precedent. I repeat, that I think they have nothing to do with eating and drinking, and the quadruple price of the necessaries of life; have not they the honour of the thing? If you will tell them so through the medium of your valuable Register, it may save the nation some expense and will oblige

An Alderman.

Estimate of the unavoidable Daily, Weekly, and Yearly Expenditure of a Subaltern Officer of the Infantry, in his Majesty's Army.

	Per Day.			*Per Week.*			*Per Year.*		
	L.	*s.*	*d.*	*L.*	*s.*	*d.*	*L.*	*s.*	*d.*
Breakfast	0	0	10	0	5	10	15	3	4
Dinner without wine, spirits, or *strong beer* even	0	2	0	0	14	0	36	10	0
Supper, *bread and cheese only*, per night	0	0	10	0	5	10	15	4	2
Washing seven shirts, and four handkerchiefs per week	0	0	6	0	2	8	9	2	6
Ditto four pair stockings, and night cap	0	0	1	0	0	6	1	6	0
Pomatum, powder, soap, black-ball, pens, ink, paper, wax, and wafers	0	0	8	0	4	8	12	3	4
Servant from the company, per week	0	0	0	0	1	0	2	12	0
Servant's clothes, for doing his master's work in	0	0	0	0	0	0	3	3	0
Pipe clay and whiting	0	0	0	0	0	1	0	4	4
Hair ribbon, combs, and rozettes	0	0	0	0	0	0	0	10	6
	0	5	11	1	14	7	95	19	2

Brought down from above	95	19	2
Mess furniture, yearly	1	1	0
Postage of letters, tear and wear of sash and sword belt	2	0	0
One sword-knot per year	0	9	6
Extra expenses on marching, per year	10	10	0
Three regimental coats and waistcoats, with epaulets in two years, 11l. 10s. each suit	17	5	0
Two pair leather breeches, per year	6	6	0
Two pair kerseymere ditto ditto	2	14	0
Two pair boots ditto	4	10	0
One pair of gaiters ditto	0	6	6
One pair shoes ditto	0	9	0
Three shirts ditto	3	3	0
Three pair stockings ditto	0	15	0

	£.	s.	d.
Neck handkerchiefs ditto - - -	0	14	0
Three pocket ditto ditto - - -	0	9	0
Three hats, feathers, tassels, &c. in two years, 3l. 14s. each	5	11	0
One pair sheets, per year - - - -	0	18	0
Towels, breakfast-cloths, &c. per year - - -	0	15	0
Gloves, yearly - - - - - -	0	10	0
One regimental great coat, in three years, at 3l. 3s. -	1	1	0
Black stocks, in the year - - -	0	6	0
Soling boots, shoes, mending linen, stockings and regimentals, in the year - - - - -	3	4	0
Unavoidable losses in regimental clothes, trunks, &c. yearly	4	0	0
	162	17	6
Ensign's pay, yearly - -	85	3	4
	£77	12	10
Income Tax - - -	3	0	0
A moderate average of expense of lodgings annually -	10	0	0
Unavoidable contingencies - -	3	0	0
Total.——Minus - -	£93	12	10!!!

PUBLIC PAPERS.

KING OF HOLLAND.—*Schiedam, June 19th,* 1806.—On Wednesday last, at five o'clock in the afternoon, his Majesty Louis Napoleon, King of Holland, his Royal Consort, children, and retinue, arrived from Breda at the Ferry of Cattendrecht, opposite Rotterdam, where they were received and presented with refreshments by his Excellency, Vice-Admiral Verheuil, Minister of the Marine, conducted by a deputation from the council, by the mayor and schepens of that city. On the signal being given by the yachts of the marine stationed there, the guns on the bulwark were fired, the flags hoisted on the great church and other public buildings, on the mills, and by all the vessels, in the several havens. Their majesties and family crossed the Meuse in a yacht of the marine; and, on approaching the shore, were saluted by the repeated acclamations of the spectators. Being arrived within the jurisdiction of Rotterdam, their Majesties were welcomed by the city deputation, and his Maj. presented, in an appropriate speech, with the keys of the city, but which his Majesty graciously left in the hands of the president. The Rev. Thos. Van Beekom, Roman Catholic Priest of Schiedam, at the head of the priests of the same religion at Rotterdam, also congratulated his Maj. on his accession and arrival.—About 9 the same evening the royal party arrived at the Hague, where their Majesties were received by a deputation of the magistrates of that place. On presenting his Maj. with the wine, called the wine of honour, used on such occasions, the mayor made an appropriate speech; and on receiving the wine, his Maj. expressed his sense of the reception given him. Accompanied by the deputation, the train now set forward to the Palace in the wood, where their Majesties were received by a commission from their high mightinesses, another from the council of state, the general secretary of state and other ministers, the French ambassador, and the General in Chief Michaud, and other generals and superior officers.—Through the whole of the wood along which their Majesties had to pass beautifully illuminated arches were erected.

Hague, June 20th, 1806.—*At the Audience given yesterday to their High Mightinesses by his Majesty, every solemnity of ceremonial was observed. They were introduced in the most regular form by the Marshal Governor of the Palace Noguez. The Speech delivered by Mr. De Vos Van Steenwyk Tot Den Hogenhof on the occasion was of the following purport.*

SIRE,——The assembly of their high mightinesses, in whose name I have at present the honour to speak, is come in a body to offer their obedience to your Maj., and to felicitate you upon your accession to the throne of Holland. In acquitting themselves of so solemn a duty, they entreat you, Sire, to receive favourably the sentiments of a deserving and every way respectable nation.——The concurrence of events and circumstances which have overthrown the political system of Europe, has at length involved our country. After sustaining a multitude of shocks, the nation looks for a term to its long agitations, and ventures to hope, that the sceptre

confided to your Majesty's foresight and wisdom, will restore its happiness and quiet.—Peace, Sire, is the greatest of Europe's wants; it is especially so of Holland. May the powerful genius of Napoleon the Great give to us, one day, this invaluable blessing! —Sire! A nation celebrated for its temperance delights to contemplate in you the model of all the virtues, and gives itself up to the consoling hope, that the paternal care of your Maj. for its true interests, will, under the sacred guidance of Providence, invigorate its industry and its commerce, and renovate its antient glory and splendour. Thus will the present generation and their posterity hail your Maj. as the regenerator of the public prosperity.

After the audience of his Maj., their High Mightinesses were presented to her Maj. the Queen. The President addressed her Maj. as follows:

Madam,——With the confidence inspired by the graces and affability of your Maj., the assembly of their high mightinesses eagerly intreats to present to you their homage and respect.—Permit us, Madam, to join your Majesty in the vows and congratulations we have just borne to his Maj. the King.—May the general welfare, which will be the constant object of the cares of his Maj., your august spouse, long prove his happiness, and the happiness of your Maj., and of all the Royal Family.

Both these Speeches were received in the most gracious manner by their Majesties. The Administration of the Department of Holland, the Deputies of several other local Administrations of the Kingdom, and the Staff Officers of the Navy had also formal audience of his Maj. The following is a Copy of the Speech delivered by his Maj. to their High Mightinesses.

Gentlemen,——When the national deputies came to offer me the throne which I ascend this day, I accepted it under the conviction that it was the wish of the whole nation—that the confidence and the necessities of all called me to it.—Relying on the intelligence, zeal, and patriotism of the principal public functionaries, and particularly on yours, gentlemen, the deputies, I have fearlessly weighed in my mind the misfortunes of the nation in their fullest extent. Animated by the strongest desire to promote the welfare of this good people, and entertaining a hope that I should one day attain that end, I stifled those sentiments which, till then, had been ever the object and happiness of my life. I have consented to change my country, to cease to be solely and entirely a Frenchman, after having passed my whole life in performing, to the best of my ability those duties which that name prescribes to all who have the honour of bearing it.—I have consented to separate myself, for the first time, from him who, from my infancy, has possessed my love and admiration; to lose the repose and independence which those whom heaven calls to govern cannot have; to quit him, the separation from whom would fill me with apprehension, even in the most tranquil times, and whose presence precludes danger.—I have consented to all this; and, gentlemen, had I not done so, I would nevertheless yet act the same part, now that by the ardour, joy, and confidence of the people through whose country I have passed, they have proved to me that you were the true interpreters of the nation, now especially, when I am convinced that I may rely on your zeal, your attachment to the interest of your native land, and on your confidence in, and fidelity towards me.—Gentlemen, this is the first day of the real independence of the United Provinces. A transient glance at past ages is sufficient to convince us, that they never had a stable government, a fixed destiny, a real independence. Under that famous people, whom they fought and served by turns, as under the Franks and the Empire of the West, they were neither free nor tranquil.—Neither were they so afterwards, when subjected to Spain.—Their wars, and their repeated quarrels until the union, added to the glory of the nation, confirmed its qualities in point of frankness, intrepidity and honour, for which, indeed, it had been always celebrated: but its efforts procured it neither tranquillity nor independence, even under the Princes of Orange, who, though they were useful to their country, as soldiers and statesmen, were always disturbing it, by pretending, or endeavouring to obtain a power which the nation denied them.——Nor could Holland be considered in that state in later times, when the elevation of ideas, and the general agitation of Europe so long suspended the repose of nations.——After so many vicissitudes, so much agitation, so many calamities; and at a time when the great states were enlarging themselves, ameliorating and concentrating their governments and their forces, this country could enjoy no real safety nor independence but in a moderate monarchical state; a form which had been acknowledged during a long period, and by each nation in its turn, as the most perfect, and, if not absolutely so, yet as much so as the nature of man will admit.

To be Continued.

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